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Dated: July 24, 2003

Signature:

Shawn P. Foley
(Shawn P. Foley)

Docket No.: OCIRS 3.3-073
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tumer et al.

Application No.: 09/936,454

Group Art Unit: 1638

Filed: September 13, 2001

Examiner: Not Yet Assigned

For: TRANSGENIC PLANTS HAVING
IMPROVED FLAVOR PROPERTIES

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the requirement for restriction under 35 U.S.C. §§121 and 372, mailed March 21, 2003, Applicants hereby elect Group XV, claims 33-36, for prosecution on the merits. This election is made without traverse. Applicants reserve the right to file a divisional application corresponding to the non-elected claims.

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In the event any fee is due in connection with the present response, the Examiner is authorized to charge Applicant's Deposit Account No. 12-1095 therefor.

Dated: July 24, 2003

Respectfully submitted,

By Shawn P. Foley
Shawn P. Foley

Registration No.: 33,071

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090

(908) 654-5000
Attorney for Applicant

LD-469\